

Chesapeake Bay Exception CBE-11-047: 104 Archers Court, Kingspoint

Staff report for the November 10, 2010 Chesapeake Bay Board Public Hearing

This staff report is prepared by the James City County Environmental Division to provide information to the Chesapeake Bay Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

Existing Site Data & Information

Applicant: Jeremy Findley

Land Owner: RJGC Equipment Leasing
1170 Tidwell Road
Alpharetta, Virginia 30004

Location: 104 Archer's Court, Kingspoint
PIN: 4930280017

Parcel Size/Zoning: 0.99 +/- acres, R1 Limited Residential

Percent of Parcel in RPA: 78% (0.78 +/- acres)

Watershed: College Creek (HUC – JL34)

Proposed Impacts

Impervious Area: approximately 28 square feet

RPA Encroachment: landward 50 foot RPA Buffer

Brief Summary and Description of Activities

Mr. Jeremy Findley, J. Lloyd Builder, has applied for an exception to the Chesapeake Bay Ordinance for the encroachment into the RPA buffer for a concrete landing. The proposed landing will provide a safe means of ingress/egress for a walkout basement and will create approximately 84 square feet of impervious cover in the RPA buffer. Approximately 56 square feet of the landing is under previously approved impervious cover from the main structure and is subtracted from the total. This leaves a total of 28 square feet of additional impervious cover. The mitigation measures proposed for the original house construction are adequate to cover this additional impervious cover. Therefore, staff has not imposed any additional mitigation requirements upon this applicant. The Code Compliance Department was consulted about any requirements for safe ingress/egress from a basement. It was stated that the requirements generally are a 3 ft by 3 ft landing for this type of construction.

The lot was originally recorded prior to the 1990 adoption of the Chesapeake Bay Preservation Ordinance. In this case, the exception request is for a concrete landing area at the ingress/egress area for a walkout basement, which encroaches into the RPA buffer. Therefore in accordance with section 23-14 of the Ordinance, an exception must be processed by the Chesapeake Bay Board after a public hearing is

held. Furthermore, staff finds that the application has met the conditions in the Chesapeake Bay Preservation Ordinance, Sections 23-11 and 23-14, and that the application should be heard by the Board.

Staff Recommendation

Staff has fully reviewed the application and exception request, including the WQIA, and has determined impacts associated with the proposal to be minimal for the construction and that the mitigation measures proposed for the original single family house construction is adequate. Staff recommends the Chesapeake Bay Board approve this Chesapeake Bay Exception with the following conditions:

1. The applicant must obtain all other necessary local permits as required for the project.

Consideration by the Chesapeake Bay Board

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14 of the County's Chesapeake Bay Preservation ordinance. The Chesapeake Bay Board is to fully consider Chesapeake Bay Exception CBE-11-023 as outlined and presented above and review the request for exception and the water quality impact assessment. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chapter 23 Chesapeake Bay Preservation Ordinance. Resolutions for granting approval or granting denial of Chesapeake Bay Exception CBE-11-047 are included for the Board's use and decision.

Staff Report prepared by:

Michael D. Woolson
Senior Watershed Planner

CONCUR:

Scott J. Thomas
Secretary to the Board

Attachments: Sensitive Area Activity Application
Aerial photograph w/ RPA
Existing site pictures